IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 22925 of 2005(D)

PETITIONER:

K.J. MATHEW,
S/O. LATE KOCHERI MATHAI JOSEPH,
KOCHERIL PUTHENPURA HOUSE, MULAKULAM, VIA.PIRAVOM.

BY ADV. SRI.PHILIP T.VARGHESE
SRI.THOMAS T.VARGHESE

RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY THE SECRETARY, LAND REVENUE,
   GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.

2. **THE VILLAGE OFFICER, PIRAVOM.**

BY GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE DEATH CERTIFICATE OF PETITIONER'S FATHER DTD. 3/03/2003.**

EXT.P2: **COPY OF THE WILL EXECUTED BY PETITIONER'S FATHER DTD. 15/01/1991.**

EXT.P3: **COPY OF THE REQUEST SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.**

/TRUE COPY/

Kss

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.22925 OF 2005

Dated this the 26th day of February, 2007

JUDGMENT

Heard.

2. If Ext.P3 application for mutation of property is received, the same will be taken up and considered in accordance with law, without insisting on any probated Will. However, it shall be ensured that due inquiry as provided by law is complied with before final decision is taken. Let final decision be taken within a period of three months from the date of receipt of a copy of this judgment. If the decision is adverse to the interest of the petitioner, it shall also disclose the reasons thereof so that the petitioner can avail alternate remedies, if any.

The writ petition is disposed of with the above directions.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.